March 3, 2017

VIA ELECTRONIC FILING

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
445 12ᵗʰ Street, S.W.
Washington, D.C. 20554

> Re: ***Promoting the Availability of Diverse and Independent Sources of Video Programming,* MB Docket No. 16-41**

Dear Ms. Dortch:

On March 1, 2017 Daphna Ziman of Cinémoi North America LLC ("Cinémoi"), Jared Zimmer of Jade Mountain Media, Ellen Schned of EJS Media and the undersigned of Hope-Beckham Inc, met with Commissioner Mignon Clyburn and David Grossman, Chief of Staff and Media Advisor to Commissioner Clyburn regarding the above-referenced proceedings.

Ms. Ziman shared Cinémoi's concerns about the health of the television industry and availability of diverse and independent voices. Specifically, Ms. Ziman noted the lack of woman owned channels on television. Cinémoi also expressed concerns about the arms race for marketplace leverage between broadcasters, programming conglomerates and MVPDs that has created a wave of consolidation that has resulted an untenable environment for emerging independent channels.

Cinémoi noted that if the pending AT&T Time Warner merger is approved by the Department of Justice, the two largest MVPDs, covering more than 50% of all television households, will be vertically integrated. Independent networks cannot survive without carriage on one of these two MVPDs. As a result, independent networks will be forced to agree to contract terms that may be more onerous or punitive than would be required by non-vertically integrated MVPDs. Given the prevalence of unconditional most favored nation ("MFN") clauses in the industry, concessions made to the largest, vertically integrated MVPDs will become standard language in all independent programmer contracts without offering commensurate value. Accordingly, Cinémoi urged the Commission to move forward with the Notice of Proposed Rulemaking that prohibits the use of unconditional MFNs.

Respectfully submitted,

/s/ John Simpson

John Simpson
Consultant to Cinémoi
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Cc: David Grossman